

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

Clerk's Minutes
Before the Honorable David Herrera Urias

CASE NO. 22cv360

DATE: 10/24/2024

TITLE: *Escano v. RCI et al*

COURTROOM CLERK: A. Nava

COURT REPORTER: C. McAlister

COURT IN SESSION: 1:39 PM -2:12 PM

TOTAL TIME: 33 MINUTES

TYPE OF PROCEEDING: CALL OF THE CALENDAR

ATTORNEYS PRESENT FOR PLAINTIFF(S):

Ruben Escano (Pro se)

ATTORNEYS PRESENT FOR DEFENDANT(S):

Melanie Stambaugh

PROCEEDINGS:

1:39 PM: The Court calls the case. Counsel enters their appearances.

The Court now confirms a Settlement Conference on December 10, 2024. Parties confirm.

1:40 PM: The Court informs parties it intends to set a trial for January 2025. The Court asks parties to confirm pending trial filing requirements.

1:42 PM: The Court informs the parties of pending logistical items in preparation for Trial, pending the Settlement Conference. The Court informs parties it will set Trial deadlines pending Settlement Conference.

1:50 PM: The Court queries parties on pending matters. Ms. Stamraugh, on behalf of RCI informs the Court on Pending Motion to Quash Subpoena to Appear and Testify at Trial (Doc. 205) and the Pending Motion to Take Remote Testimony of Intervenor Ryan Morettini at Trial (Doc. 217).

1:55 PM: Plaintiff responds to Defendant regarding Doc. 205 and Doc. 217.

1:57 PM: The Court informs parties it will review pending motions, pending the Settlement Conference on December 10.

1:58 PM: The Court queries parties regarding Doc. 229, Motion to Seal Deposition of Crystian Alatorre.

Parties inform the Court regarding Doc. 229, Motion to Seal the Deposition of Crystian Alatorre.

1:59: PM: The Court will prepare to call a motions Hearing pending the Settlement Conference on December 10.

2:01 PM: The Court queries Plaintiff regarding a pending Entry of Default against a separate Defendant. The Plaintiff informs the Court that he intends to move for default judgment prior to Trial.

2:04 PM: The Plaintiff informs the Court he intends to file a motion for sanctions against the Defendant. The Defendant raises that a sanctions motion may be untimely and informs the Court that the Magistrate Judge on the matter previously heard a similar sanctions motion and dismissed the Plaintiff's motion for sanctions.

2:06 PM: The Court queries the Plaintiff, asking why the Plaintiff has waited to file the intended sanctions motion.

2:09 PM: The Court instructs the Plaintiff to file a motion for leave to file a motion for sanctions prior to filing his intended motion for sanctions.

2:09 PM: The Court instructs the parties to work together moving forward.

2:12 PM: The Court is in RECESS.